

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

T. KEITH HOLLIS; et al.

PLAINTIFFS

v.

CIVIL ACTION NO. 1:21-CV-163-GHD-RP

JOSEPH R. BIDEN, JR.; et al.

DEFENDANTS

ORDER DISMISSING ACTION AS MOOT

The Plaintiffs in this matter sought to enjoin the enforcement of Executive Order 14042, issued by President Biden on September 9, 2021, which required federal contractors to comply with certain COVID-19-workplace safety protocols. On November 18, 2021, this Court heard testimony and argument relative to the Plaintiffs' motion for preliminary injunction [5]. The Court denied the Plaintiffs' motion and dismissed this case for lack of standing on November 23, 2021 [27, 28]. The Plaintiffs then appealed to the United States Court of Appeals for the Fifth Circuit [30].

On May 9, 2023, President Biden issued a new Executive Order that revoked E.O. 14042. *See* Exec. Order No. 14099, 88 Fed. Reg. 30891 (May 9, 2023). Pursuant to E.O. 14099, all guidance regarding the implementation of E.O. 14042 has been revoked. Given this development, as well as a May 15, 2023, letter submitted to the Fifth Circuit stating that the parties agree this case is now moot, the Fifth Circuit on May 18, 2023, issued an Order holding that this case is now moot. *See* Doc. No. 32. The Fifth Circuit's May 18, 2023, Order further holds that this Court's November 23, 2021, Judgment dismissing this matter is vacated, and remands the matter to this Court with directions to dismiss this matter as moot.

THEREFORE, pursuant to the Fifth Circuit's Order remanding this action to this Court with directions to dismiss this matter as moot, the Court finds that this action is MOOT and the Plaintiffs' claims are hereby DISMISSED WITH PREJUDICE. This case is CLOSED.

SO ORDERED, this 23rd day of May, 2023.



SENIOR U.S. DISTRICT JUDGE